

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC. APPLICATION No.4874 of 1992

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For Approval and Signature:

Hon'ble MR.JUSTICE N.J.PANDYA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

PRADIPKUMAR AMICHAND AGRAWAL

Versus

STATE OF GUJARAT

Appearance:

MR GC RAY for Petitioner
Shri M.A. Bukhari, Addl. PUBLIC PROSECUTOR
for Respondent No. 1
UNSERVED AS REFUSED for Respondent No. 2

CORAM : MR.JUSTICE N.J.PANDYA

Date of decision: 23/09/97

ORAL JUDGEMENT :

The defence raised in the petition cannot be gone into by this Court. It is the factual dispute required to be considered by the trial court as and when evidence is recorded.

2. Along with the petition the petitioner has filed a copy of the complaint. Record and Proceedings being

present and on the going through the same the complaint is found to have contained all the ingredients of section 138 of the Negotiable Instruments Act. The petition is, therefore, rejected. Rule is discharged. Interim relief is vacated. No order as to costs.

3. Record and Proceedings to be sent forthwith.

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